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FEDERAL TRADE COMMISSION  
(Each appearing pursuant to DUCivR83-1.1(e))  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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FEDERAL TRADE COMMISSION,

Plaintiff,

v.

ELITE IT PARTNERS, INC., a Utah  
corporation doing business as ELITE IT  
HOME, and

JAMES MICHAEL MARTINOS,  
individually and as an officer of ELITE IT  
PARTNERS, INC.,

Defendants.

**UNOPPOSED MOTION TO EXTEND  
DEADLINE FOR PLAINTIFF'S  
RESPONSE TO DEFENDANTS'  
MOTION TO VACATE THE  
JUDGMENT (ECF 169)**

Case No. 2:19-CV-125-RJS-CMR

Chief District Judge Robert J. Shelby

Magistrate Judge Cecilia Romero

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Plaintiff the Federal Trade Commission hereby brings this motion to request an extension to the deadline for its response to Defendants' Motion to Vacate the Judgment Pursuant to Rule 60(b) (ECF 169) ("Motion to Vacate"). Defendants filed their Motion to Vacate on March 17,

2022, and pursuant to DUCiv R 7-1 (a)(4)(D)(iii), the FTC's response is due on March 31, 2022. The FTC respectfully requests the Court extend the deadline for the FTC's response to April 14, 2022. As grounds for this motion, the FTC states as follows:

Defendants only notified the FTC of their intention to file their Motion to Vacate on the afternoon of March 15. Their Motion to Vacate is 15.5 pages long and raises complex legal issues regarding the bases for vacating a judgment. The Motion to Vacate also includes numerous factual allegations – some of which are incorrect and which the FTC will need to address, in part, via sworn testimony. In addition, counsel with the FTC will need time to review the record in a case in which the Stipulated Order (ECF 150) was entered on December 19, 2019; Defendants paid all amounts due under the Monetary Judgment Provision, Paragraph VI, subparts B-F, shortly thereafter; and redress to consumers has been underway since October 2021. Finally, FTC attorneys of record have other personal and professional commitments which will make complying with the deadline difficult, particularly given the amount of work the FTC anticipates it will take to respond fully to Defendants' Motion to Vacate.

The FTC has confirmed with counsel for Defendants that they do not oppose the FTC's motion for an extension.

Dated: March 21, 2022

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 21, 2022, I electronically filed the foregoing **UNOPPOSED MOTION TO EXTEND DEADLINE FOR PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO VACATE THE JUDGMENT (ECF 169)** with the Clerk of the Court using CM/ECF, which will send a notice of electronic filing to counsel of record identified on the service list below:

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/s/ Amanda R. Grier  
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